

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JACQUELINE WIGHTMAN,

Plaintiff,

-against-

COSTELLO MAIONE SCHUCH, INC.  
and MICHAEL SCHUCH,

Defendant(s).  
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**ORDER TO SHOW CAUSE**  
CV 03-5678 (DRH) (WDW)

**WILLIAM D. WALL, United States Magistrate Judge:**

The court has received a letter from the parties dated July 14, 2005 indicating that they have reached a settlement. Based on the letter, the hearing scheduled for July 15, 2005 was adjourned without date. The letter states that the settlement is intended to “encompass any and all fees directed by the court to be payable by my firm to the plaintiff’s attorney.” That does not relieve defendants’ counsel, Patrick S. Mielo, from the sanction of \$50 per day “**payable to the court**” for his failure to register for ECF despite repeated orders of the court that he do so, entered on July 5, 2005. *See* 7/05/05 Electronic Order, a copy of which was sent by facsimile to Mr. Mielo on that date (emphasis added). That sanction remains in force until a Stipulation of Discontinuance is signed and the case is closed, or Mr. Mielo presents proof of his registration for ECF. To date, Mr. Mielo owes \$350, a figure that will increase by \$50 for every business day that Mr. Mielo continues to defy the orders of the court.

The parties shall file a Stipulation of Discontinuance with District Judge Hurley no later than July 21, 2005, the date they indicated in their letter. The undersigned also directs the parties, in the settlement papers filed with the court, to include a provision that the court will retain jurisdiction over the settlement agreement, should a dispute arise after the case is closed. If the parties do not move forward with the proposed settlement, the plaintiff must notify the court, and the undersigned will immediately proceed with the hearing originally scheduled for July 15, 2005.

Dated: Central Islip, New York  
July 15, 2005

**SO ORDERED:**

s/ William D. Wall  
WILLIAM D. WALL  
United States Magistrate Judge